

ORDINANCE NO. 405 N.S.

AN ORDINANCE REPEALING TITLE 21
OF THE MUNICIPAL CODE OF THE
CITY OF EL PASO DE ROBLES AND
ENACTING NEW TITLE 21 - ZONING
OF SAID MUNICIPAL CODE

The City Council of the City of El Paso de Robles does
ordain as follows:

Section I - That Title 21, zoning (Ordinance No. 229 N.S.
as amended) be and is hereby repealed.

Section II - that new Title 21, zoning, is hereby adopted
as follows:

TITLE 21

Zoning

take such other steps and shall apply to such courts as may have jurisdiction to grant such relief as will abate and remove such building or structure, and restrain and enjoin any person, firm or corporation from setting up, erecting, building, or using any such building contrary to the provisions of this title. (Ord. 229 N.S. 10.63; August 3, 1959).

21.04.090 Remedies Cumulative. The remedies provided for herein shall be cumulative and not exclusive.

21.04.100 Severability. If any section, subsection, sentence, clause or phrase of this title is for any reason held by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of this title. The city council hereby declares that it would have passed this title and each section, subsection, sentence, clause and phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

21.04.110 Title. This title shall be known and cited as the zoning ordinance of the City of El Paso de Robles, California.

Chapter 21.08

DEFINITIONS

21.08.010 Generally. For the purpose of this title certain terms used herein are defined as found in this chapter.

21.08.020 Alley. ALLEY shall mean any public thoroughfare which affords only a secondary means of access to abutting property.

21.08.030 Automobile Court-Motel. AUTOMOBILE COURT OR MOTEL shall mean one or more detached or semi-detached buildings containing guest rooms or apartments with automobile storage space serving such rooms or apartments provided in connection therewith, which group is designed and used primarily for the accommodation of transient automobile travelers.

21.08.040 Boarding House. BOARDING HOUSE shall mean a dwelling other than a hotel where lodging and meals for three or more persons is provided for compensation.

21.08.050 Building. BUILDING shall mean any structure having a roof supported by columns or by walls and designated for the shelter or housing of any person, animal or chattel.

21.08.060 Building Accessory. BUILDING ACCESSORY shall mean a subordinate building including garages, carports, stables, barns, storage sheds, shelters, pools or similar uses, the use of which is incidental to that of the main building (residential, commercial or industrial) on the same lot and/or building site.

21.08.064 Building Area. In the R-3, R-3-0, and R-4 zones the minimum building area requirements shall mean the minimum number of square feet on a lot or parcel which is required for construction of one dwelling unit for the purposes of calculating the density.

21.08.070 Building Main. BUILDING MAIN shall mean a building in which is conducted the principal use of the lot and/or

building site on which it is situated.

21.08.080 Building Site. BUILDING SITE shall mean a lot or parcel of land, in single or joint ownership and occupied or to be occupied by a main building and accessory buildings or by a dwelling group and its accessory buildings, together with such open spaces as are required by the terms of this title and having an approved access to a street, road, or highway.

21.08.090 Business Retail. BUSINESS RETAIL shall mean the retail sale of any article, substance, or commodity for profit or livelihood, conducted within a building but not including the sale of lumber or other building materials or the sale of used or second-hand goods or materials of any kind.

21.08.100 Business Wholesale. BUSINESS, WHOLESALE shall mean wholesale handling of any article substance or commodity for the profit or livelihood, but not including the handling of lumber or other building materials or the open storage or sale of material or commodity, and not including the processing or manufacture of any product or substance.

21.08.110 Combining District. COMBINING DISTRICT shall mean any district in which the general district regulations are combined with "P" for the purpose of adding additional special regulations, i.e., "C-2 combined with "P" (C-2-P) adds the additional requirement of off-street parking.

21.08.112 Commercial Storage Building: A commercial storage building is any storage building divided into individual compartments having direct access to the outside of the building and intended to be used principally to provide rental spaces to the general public for storage purposes.

21.08.120 District. DISTRICT shall mean a portion of the city within which certain uses of land and buildings are permitted or prohibited and within which certain yards and other

open spaces are required and certain height limits are established for buildings, all as set forth and specified in this title.

21.08.130 Dwelling, Single Family. DWELLING, SINGLE FAMILY shall mean a building designed for, or used to house not more than one family, including all necessary employees of such family.

21.08.140 Dwelling, Two Family or Duplex. DWELLING, TWO FAMILY OR DUPLEX shall mean a building with a common roof containing not more than two kitchens, designed and/or used to house not more than two families, living independently of each other, including all necessary employees of such family.

21.08.150 Dwelling, Multiple. DWELLING, MULTIPLE shall mean a building or portion thereof, used and designed as a residence for three or more families living independently of each other and doing their own cooking in said building including apartment houses, apartment hotels and flats, but not including automobile courts, or boarding houses.

21.08.160 Dwelling Groups. DWELLING GROUPS shall mean a group of two or more detached or semi-detached, one family, two family, or multiple dwellings occupying a parcel of land in one ownership and having any yard or court in common, but not including automobile courts. For the purpose of this regulation semi-detached shall mean connected by a trellis, carport, patio cover, common foundation or similar structure.

21.08.170 Family: Parents and children or not more than five unrelated individuals living together as a family and sharing household expenses, meals and chores.

21.08.180 Floor Area, Net. Net floor area shall mean that portion of a building which is used for the sale or display of products or services.

21.08.190 Garage or Carport. GARAGE or CARPORT shall mean an accessible and useable covered space of not less than ten by twenty feet for storage of automobiles, such garage to be so located on the lot so as to meet the requirements of this title for an accessory building, or if attached to the main building to meet all the requirements applicable to the main building.

21.08.200 Garage, Automotive. An automotive garage shall mean any business engaged in the repair of automobile or truck engines or bodies in which the repairs are of a major nature and not considered to be similar to those allowed in a gasoline service station. It shall, in addition, include painting and installation of major accessory parts and equipment such as radios, upholstery, special brake and exhaust systems, heating and air conditioning systems and accessories of a similar nature.

21.08.210 Gasoline Service Station. Gasoline service station shall mean any use in which gasoline or diesel fuel for motor vehicles is sold to the public and in which all or a portion of the fuel is dispensed by an attendant. A gasoline service station may also include minor automobile or truck maintenance such as oil changing, tune-up, minor repairs to electrical and fuel systems and replacement of minor parts such as windshield wipers, fan belts, lights and parts of a similar nature. A gasoline service station shall not mean a garage for major automobile engine, body repair, painting or the installation of major accessory parts and equipment such as radios, exhaust systems, upholstery, and parts of a similar nature.

21.08.220 Guest Room: A room or suite of rooms intended to be used for the temporary lodging of persons without charge and having no separate cooking facilities or utility meters.

21.08.230 Hardship: Unusual difficulties, such as a physical

handicap or chronic illness of an individual or members of his household which prevent him or members of his household from enjoying rights and privileges normally enjoyed by others.

21.08.240 Height of Buildings. HEIGHT OF BUILDINGS shall mean the vertical distance from the average level of the highest and lowest point of that portion of the lot covered by the building to the topmost point of the roof.

21.08.250 Hotel. HOTEL shall mean any building or portion thereof containing six or more guest rooms used, designed or intended to be used, let, or hired out to be occupied, or which are occupied by six or more individuals for compensation, whether the compensation for hire be paid directly or indirectly.

21.08.260 Junk Yard. JUNK YARD shall mean the use of more than one hundred square feet of the area of any lot, for the storage of junk, including scrap metals, salvage or other scrap materials, or for the dismantling or "wrecking" of automobiles or other vehicles, or machinery, whether for sale or storage.

21.08.270 Lot. Lot shall mean a legal division of land recorded in the Office of the Recorder of Deeds of San Luis Obispo County.

21.08.280 Modular Home: A factory built home meeting building code standards which is installed on a permanent foundation.

21.08.290 Mobile Home: A factory built home, installed on a chassis, and not meeting the building code standards.

21.08.300 Non-Conforming Building: A building which is so designed or situated on a lot that it does not meet the height, yard, set-back, lot coverage or off-street parking requirements.

21.08.310 Non-Conforming Use. NON-CONFORMING USE shall mean a use that does not conform to the regulations for the district in which it is situated.

21.08.320 Parcel. Parcel shall mean any lot or combination of lots or parts thereof shown on the assessor's tax maps as one contiguous ownership and assigned one assessors parcel number for tax purposes.

21.08.330 Parking Space. PARKING SPACE shall mean an accessible and usable space on the building site at least nine feet by twenty feet, located off the street with access for the parking of automobiles.

21.08.340 Professional Office. PROFESSIONAL OFFICE shall mean an office for the conduct of any one of the following uses: any licensed or registered professional, planning or drafting office, collection agency, insurance office, private detective, real estate office, contractor's office only, social worker or similar use; but not the following uses: advertiser, barber shop, pest control, pharmacy, veterinary, beauty parlor or funeral parlor.

21.08.350 Quasi-Public Building: A non-commercial building, not publicly owned which is used primarily by the public for religious, educational or cultural purposes.

21.08.360 Rooming House. ROOMING HOUSE shall mean a dwelling other than a hotel where lodging only for three or more persons is provided for compensation. (See Boarding House also.)

21.08.370 Self-service Petroleum Sales. Self-service petroleum sales shall mean any use in which gasoline or diesel fuel for motor vehicles is sold to the public in a manner requiring the customer to provide a portion of the labor involved in dispensing the fuel. Self-service petroleum sales

may also include all uses permitted in a gasoline service station.

21.08.380 Side and Front of Corner Lots. For the purpose of this title the narrowest frontage of the corner lot facing the street is the side irrespective of the direction in which the dwelling faces, provided, however, that if there is a difference of five feet or less between the side and front line dimensions, the Director of Planning may designate the front of the lot; provided further, that on any street where the majority of lots face that street the corner lot shall be considered as having the same frontage as the majority of lots facing said street.

21.08.390 Street. STREET shall mean a thoroughfare accepted by the City of El Paso de Robles, which affords principal means of access to abutting property, including avenue, place, way, drive, lane, boulevard, highway, road, and any other thoroughfare except an alley as defined herein.

21.08.400 Street Line. STREET LINE shall mean the boundary between a street and property.

21.08.410 Structure. STRUCTURE shall mean anything constructed or erected, the use of which required location on the ground or attachment to something having location on the ground.

21.08.420 Structural Alterations. STRUCTURAL ALTERATIONS shall mean any change in the supporting members of a building, such as bearing walls, columns, beams or girders.

21.08.430 Trailer. A factory built home, installed on a chassis, not meeting building code standards, and intended to be towed for long distances behind a vehicle on the public roads without a special permit or escort.

21.08.440 Trailer Court, Mobilehome Court. TRAILER COURT, MOBILEHOME COURT shall mean any land or premises used or intended to be used, but are rented for occupancy by mobile-homes, trailers, recreation vehicles, or other movable structures designed for human occupancy.

21.08.450 Use. USE shall mean the purpose for which land or premises of a building thereon is designed, arranged, or intended or for which it is, or may be occupied or maintained.

21.08.460 Use-Accessory. USE-ACCESSORY shall mean a use incidental and accessory to the principal use of a lot or a building located on the same lot.

21.08.470 Yard. YARD shall mean an open space other than a court on the same building site with a building, which open space is unoccupied and unobstructed from the ground upward, except as otherwise permitted in sections 21.20.160-21.20.260.

21.08.480 Yard-Front. YARD-FRONT shall mean a yard extending across the front of the lot between the inner side yard lines and measured from the front line of the lot to the nearest line of the building; provided that if any building line of official plan line has been established for the street upon which the lot faces, then such measurement shall be taken from such building line or official plan line to the nearest line of the building.

21.08.490 Yard-Rear. YEAR-REAR shall mean a yard extending across the full width of the lot and measured between the rear line of the lot and the nearest line of the main building.

21.08.500 Yard-Side. YARD-SIDE shall mean a yard between the side line of the lot and the nearest line of the building and extending from the front line of the lot to the rear yard.

Chapter 21.12

DISTRICTS

Sections:

21.12.010 Districts established.

21.12.020 Map-Alterations.

21.12.010 Districts established. The several districts established are as follows:

Residential Agriculture District or R-A District
Single Family Residential District or R-1 District
Duplex/Triplex District or R-2 District
Multi-Family Residential District or R-3 District
Multi-Family/Office District or R-3-0 District
Multi-Family/Mobile Home District or R-4 District
General Retail Commercial District or C-1 District
Highway Commercial District or C-2 District
Commercial/Light Industry District or C-3 District
Industrial District or M District
Planned Industrial District or PM District
Combining Building Size District or B District
Primary Flood Plain District or PF District
Secondary Flood Plain District or SF District
Transition Overlay District or T District
Hillside Overlay District or H District
Historical and Architectural Overlay District or HP
District
Planned Development District or PD District
Redevelopment Overlay District or RD District
Neighborhood Commercial District or CP District
Planned Residential Development District or PRD District

21.12.020 Map Alterations. The designation, locations and boundaries of the districts established are delineated upon the map entitled "Zoning Map for the City of El Paso de Robles, California, dated June 30, 1977", which Map and all notations and information thereon are hereby made a part of this title

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and shall be cited as Section 21.12.020 hereof. Any land within the incorporated limits of the City of El Paso de Robles, now or in the future, and not designated or indicated as any other district on the Zoning Map shall be immediately zoned to be consistent with the General Plan of said City. In the interim period, between annexation and actual zoning of the property, the Planning Commission may grant use permits for uses conforming to the General Plan. Conditions of the use permit shall include yard, height, lot area, and parking requirements of the Zoning District herein most closely conforming to the General Plan.

Chapter 21.17

OVERLAY DISTRICT REGULATIONS

21.17.010 Intent. Overlay Zones are created for the purpose of further regulating the uses in the various primary zones in the order to implement the various provisions of the General Plan.

21.17.020 Applicability. The provisions of this section shall apply to all uses in the Primary Zone and shall be in addition to the regulations for the Primary Zone. Whenever conflicts exist between the provisions of this section and other sections of the Zoning Ordinance the most restrictive provisions shall apply. The City Engineer shall be responsible for determining if any building lies within the flood plain.

21.17.030 Primary Flood Plain District or "P-F" District.

1. Purpose

This district is intended to be applied to properties which lie within a designated floodway, which for the purpose of this Ordinance shall be construed to be a stream, channel and such portions of the adjacent flood plain as are reasonably required to efficiently carry the flood of the stream; and on which properties special regulations are necessary for minimum protection of the public health, safety, and of property and improvements from hazards and damage resulting from flood waters.

The following regulations shall apply in all "P-F" Districts and shall be subject to the provisions of Chapter 21.20 of this Ordinance.

2. Uses Permitted

- (1) Crop and tree farming, truck gardening, viticulture, livestock grazing, and other agriculture

uses which are of the same or a closely similar nature.

- (2) Public utility wire and pipelines for transmission and local distribution purposes.

3. Uses Permitted Subject to First Obtaining a Use Permit in Each Case

- (1) Public parks and recreation areas and facilities, including parking areas and recreation areas.
- (2) Commercial excavation of natural materials, filling of land areas, construction of levies, dikes or other structures designed to divert or obstruct the flow of waters.

4. Accessory Uses Permitted

Accessory uses normally incidental to uses permitted.

5. Non-Conforming Uses

No non-conforming uses in the flood way may be expanded, but may be modified, providing such use does not raise the level of the 100-year flood.

21.17.040 Secondary Flood Plain District or "S-F" Districts

1. Purpose

This district is intended to be applied to properties which lie within that portion of the national floodway between the limits of the designated floodway and the limits of the flood plain, or where inundation may occur, but where depths and velocities will not cause appreciable damage and which properties require special regulations for the protection of such properties and their improvements from hazards and damage which may result from flood waters.

The following regulations shall apply in all "S-F" districts and shall be subject to provisions of Chapter 21.20 of this Ordinance:

2. Uses Permitted

- (1) Crop and tree farming, truck gardening, viticulture, and other agricultural uses which are of the same or a closely similar nature.
- (2) Single family dwellings
- (3) Public utility wire and pipelines for transmission and local distribution purposes

3. Uses Permitted Subject to First Obtaining a Use Permit When Such Uses Are Permitted in the Primary Use Zone

- (1) Multi-family dwellings
- (2) Small commercial structures
- (3) Public and private schools, churches, libraries, organizational meeting halls and other similar places of public assembly
- (4) Public utility structure, not including corporation or service yards

4. Development Standards:

1. All materials used in the construction of new structures or for the construction of substantial improvements to existing structures shall be resistant to flood damage.
2. The construction methods shall be such as to minimize damage to the structure from flooding.
3. All structures shall be anchored to prevent flotation, collapse or lateral movement during a flood.
4. All utilities shall be designed and located to minimize flood damage.
5. Adequate drainage shall be provided around all structures to reduce exposure to flood hazards.
6. New water and sewer systems shall be designed to eliminate infiltration of flood waters or discharge into flood waters.
7. New construction or substantial improvements to

existing structures must have the lower floor elevated above the 100-year flood elevation.

8. All new commercial structures or substantial improvements shall have attendant utility and sanitary facilities flood-proofed up to the 100-year flood level.
9. No land fill shall be permitted except where the effect on flood heights is fully offset by stream improvements.
10. No variance shall be granted to permit any land fills, unless the applicant demonstrates that the use, when combined with all other existing and anticipated uses for which a variance may be granted, will not increase the elevation of the 100-year flood more than one (1) foot at any point.

21.17.060 District T-Transition Overlay Zone

Intent- This district is intended to further regulate development in areas where potential conflicts between uses exist in order to protect the more restrictive areas.

Applicability- These regulations shall be applied in addition to the regulations of the primary zone. Whenever a conflict between these regulations and the regulations of the primary zone exist the more restrictive shall govern.

Uses Permitted- All uses permitted in the primary zone shall be permitted in this zone under a Conditional Use Permit with the following exception:

In any C zone abutting an R zone no commercial, wholesale or light industrial uses intended to be operated during the period of 7 p.m. to 7 a.m. shall be permitted except motels and travel trailer camps.

Development Standards- The following development standards shall apply to all uses, buildings and structures erected in the T (Transition) zone.

1. Yard and Height Requirements - The setbacks, yard requirements and height of structures shall be the same as those for the adjacent more restrictive zone.
2. Performance Standards - The performance standards shall be the same as those for the adjacent more restrictive zone.
3. Access - When any parcel used for commercial purposes shall abut a major or collector street, all commercial traffic shall have ingress and egress from the major or collector street and no driveways shall be permitted on any local street.
4. Screening and Landscaping: As per use permit.

Application Procedures- The application procedure for any use

or for the extension or reconstruction of any use shall be those for a Conditional Use Permit. In considering an application for a use in the T zone, the Commission may authorize such use subject to any additional conditions which it finds necessary to assure that the intent of this article is implemented.

H (Hillside Development)

Section 21.17.070 H (Hillside Development)

All development on slopes of 15% or greater shall require the issuance of a Use Permit.

District HP-Historical and Architectural Preservation

Section 21.17.080

Intent: It is the intent of the HP overlay district to encourage the preservation, restoration and renovation of buildings of historical or architectural significance or interest.

Applicability: This zone may be applied to any area containing one or more buildings of historical or architectural interest. In determining the boundary of the zone the Planning Commission shall consider whether or not the buildings or building are architecturally or historically significant or of interest, if they have sufficient educational value to warrant consideration for museum use, if they can be retained in their original or present use, if they are adaptive to reuse, if they are adaptive to a new use without damage to those architectural elements which contribute to their significance and if preservation or restoration is economically feasible. In determining the boundary to be included in the H.P. zone, the Commission shall consider the location of the buildings to be preserved, the original building site of the buildings, the present relationship between different buildings of significance or interest, the architectural continuity of the streets on which the buildings are located, the surrounding uses, the visibility of the buildings to the general public and the encroachment of detrimental uses and shall seek to balance the public benefit with any adverse effects to the economic value of adjacent development.

Public Notice of Intent to Demolish: The Planning Commission shall maintain a map of all building considered to be of historic or architectural significance. No permit to demolish any building shown on the map shall be issued prior to 45 days from the date of application unless it has been determined by the City Building Official that the building is an

immediate threat to the public health, safety or welfare. Upon receipt of an application for a permit to demolish any building shown on the map, the Director of Planning shall publish a public notice in a newspaper of general circulation in the City of Paso Robles and in a newspaper of general circulation in San Luis Obispo County, stating the location of the building, its present use and general condition, the reasons for its consideration as a building of historical or architectural significance or interest and shall state that a demolition permit will be issued if no action has been taken by any public or private agencies or persons to acquire the building at its fair market value within the required time limit.

Any public or private organization or persons desiring to purchase the property or building may petition the Commission to extend the 45 day waiting period for demolition and upon reasonable proof that the organization or persons intend to negotiate in good faith for the purchase of the building or property, the Planning Commission may extend the waiting period for any reasonable time not to exceed six (6) months.

Architectural Review: The Planning Commission shall adopt guidelines for the review of new buildings or structures in the H.P. zone. Such guidelines shall consider building spacing, lot coverage, yard limits, setbacks, density of use, bulk, height, materials textures, scale, orientation, the rhythm of the block face and the general spirit of the area. Applications for any new building or structure in zone HP shall be referred to the Planning Commission for architectural review.

The Planning Commission shall review applications for new structures in the district HP, and may impose such restrictions or conditions as it deems necessary to comply with the intent of this Ordinance.

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Section 21.17.084 PD District

Subject to the provisions of Chapter 21.20 of this title, the following uses will be allowed and the following regulations shall apply in the PD district.

None but the following uses or uses which, in the opinion of the planning commission, are similar will be allowed:

1. PD districts may be established in areas where it is deemed desirable to encourage and promote pre-planned developments, where the preservation of orderly growth is necessary to preserve stable property values, prevent inefficient property division and minimize unwarranted speculative promotion. Regulations in this district are designed to promote maximum utilization where the land was proposed to be used for a specific use in any of the following situations as well as others:

(1) The reservation of larger parcels for usage in a newly created subdivision;

(2) The rezoning of land and as a result of a specific proposal;

(3) Preservation of uniform architectural, structural or physical characteristics;

(4) A better use of land through new design approaches which emphasize usable open space and increase livability;

(5) The use of density zoning employing the concept of dwelling unit density per acre rather than using the minimum lot size as the basic criterion.

If a proposed new development has not commenced two years from the date of the zone change, the PD zone classification shall become null and void and the property shall revert back into the classification before the zone change. If the development is carried out on a unit-by-unit basis, the zone classification may remain in effect on the entire property unless two years elapses between the stopping point of one phase and the beginning point of the next. In this

event, the remaining units held in the PD zone classification shall revert to prior zone classification. Where PD regulations are established as additional regulations on existing subdivided property, the two year time period shall not apply.

Uses permitted in a PD district shall be planned, developed, conducted and operated in such manner as described on the plans approved by the planning commission. The uses and density shall not exceed those prescribed by the general plan and in no event shall be less restrictive than those prescribed by the primary zone with which the combining zone is attached. The planning commission may designate such conditions as it deems necessary to fulfill the purpose of this section which guarantees conditions are being or will be complied with.

An overall general development plan of the entire property shall be filed with the planning commission, which plans shall set forth the regulations, uses and deviations from the primary zone desired by the applicant. All pertinent documents presented for consideration and approved by the planning commission shall be made a permanent record on file in the planning department. Development of structures, improvements to and uses within the prescribed property would be permitted by right as approved by the planning commission and as required by the primary zone. Changes thereto shall require reappraisal and amendment of the documents by the planning director. The plans and requests shall be in conformity with the rules and conditions under which the application may be made on file with the secretary of the planning commission.

In order that buildings, on-site improvements, structures, signs, and landscaping will be developed in an orderly and uniform manner and will be in harmony with other structures and improvements in the area and not of obnoxious, undesirable,

unsightly appearance, the following items may be considered in approving plans of proposed improvements in the PD district:

1. Uses proposed and permitted in the district.
2. The height, bulk, and area of buildings.
3. Building lines and distance between buildings.
4. Architectural features, landscaping, lighting and other amenities.
5. Signs-Lighting, size and style
Signs-Location.
6. Vehicle parking and location.

If the PD zone requirements established by the planning commission require sufficient detail plans before final approval is given, including such plans, drawings, illustrations or materials to support the proposal for the improvements, the planning commission after reviewing the initial submission of the general plan, may review the precise plan after the zoning classification is established within the two year period of time. The planning commission may recommend changes of these precise plans which shall later become a requirement of zoning. In the case the applicant is not satisfied with the action of the planning commission related to the precise plans, he may within thirty days after such action, appeal in writing to the city council. The council shall hold a hearing on the appeal and shall render its decision thereon within thirty days after the filing of the precise plans. No building permit shall be issued unless plans filed as required have been first approved by the planning commission.

Section 21.17.090 RD District (Redevelopment Zone)

Purpose: The purpose of the Redevelopment Zone is to encourage the full development of properties which lack public services by granting inducements to the developer by allowing higher densities and less restrictive uses if the developer brings the property into conformance with the standards for new subdivisions.

Applicability: These regulations shall apply to selected subdivided areas of the city which lack some or all of the public facilities which would be required for full development and which, in the opinion of the Planning Commission, have remained undeveloped because of the lack of the necessary facilities. For the purpose of this regulation these facilities include but are not limited to sewer, water, streets, curbs, gutters and storm drainage.

Limitations: The provisions of this regulation may not be used as justification for changes to the General Plan or Zoning Ordinance involving properties which are under one ownership and which lend themselves to re-subdivision and development at lower densities and more restrictive uses. Nor may the provisions of this regulation be used where the land use pattern created thereby would be inconsistent with the goals and objectives of the General Plan.

The applicable areas are shown on the General Plan map as Redevelopment areas and shall be shown on the zoning map by a designation indicating the primary zoning designation applicable at the time of adoption of this regulation followed by the letters RD and the higher and less restrictive zone in parenthesis. An example of such a zoning designation is "R-1 (RD R-3)".

Permitted Uses: The uses permitted by right in the Redevelopment Zone shall be the uses permitted in the primary zone. Uses and densities permitted by the RD designation shall be

permitted only upon approval by the Planning Commission in accordance with the requirements of this regulation.

Application: An applicant for any of the uses permitted by the RD designation and not allowed by right in the primary zone shall submit an application to the Planning Commission for entitlement to the uses permitted in the RD zone. Such application shall include a map of the property showing all of the conditions required for a tentative subdivision map together with a written statement explaining the purpose of the application.

Procedures: The Director of Planning shall refer the application to the Subdivision Review Committee together with a written report containing his findings relative to the requirements of this regulation.

The Subdivision Review Committee shall make such recommendations to the Planning Commission for approval, disapproval or approval with conditions as it deems appropriate.

Public Hearing: The Planning Commission shall hold a public hearing on the application giving notice as provided in Sections 21.24.310 and 21.24.320 of this Ordinance. Following the public hearing the Planning Commission may disapprove or approve with conditions a tentative change of zone from the primary zone to the Redevelopment zone. Approval shall authorize the applicant to proceed with the required improvements in accordance with the procedures for a final subdivision map.

Final Approval: Upon completion of all improvements the applicant shall submit proof thereof to the City Council. After the City Council has determined that all of the conditions for approval have been complied with it shall adopt an amendment to the zoning ordinance changing the zoning designation to the designation allowed by the Redevelopment Zone.

Chapter 21.18
Floating Zone District Regulations

21.18.010 Intent.

It is the intent of this section to provide for Neighborhood Commercial Uses which are shown on the General Plan Land Use Map in general locations rather than in specific locations and to provide for innovative development of residential areas.

21.18.020 District CP-Neighborhood Commercial.

Intent:

The District CP is intended to provide for integrated shopping facilities serving neighborhood needs.

Location and Access

The District CP is intended as a "floating zone" to be established according to the criteria for Neighborhood Shopping Centers given in the Land Use Element of the General Plan and according to the following:

1. The District CP may be established on any tract of land containing not less than two acres in any district in accordance with the location criteria below.
2. The District CP shall be located on property adjacent to and having direct access to arterial streets as shown on the Select System Map of the Circulation Element of the General Plan, and preferably at or within 300 feet of the intersection of another arterial or collector street.

Permitted Uses

1. Any local retail business or service establishment such as a grocery, fruit or vegetable store, liquor store, drug store, barber and beauty shop, clothes cleaning and laundry establishment, hardware store,

food lockers, business and professional offices and the like, supplying commodities or performing services primarily for a neighborhood.

2. Restaurant or tavern not including drive-in restaurants.
3. Automobile service stations by use permit.
4. Any other retail business or service establishment which is determined by the commission to be of the same general character as the above permitted uses.

Standards

1. Signs

- a. In district CP only flat wall signs or signs on the face or at the edge of a marquee are permitted, which shall advertise or indicate only services, articles or products which are offered for sale within the building to which the sign is attached.
- b. One flat wall sign may be placed on not more than two (2) faces of an ornamental tower or structure, when such tower or structure is an integral part of the architectural plan of any building and which may extend above the main roof level, but said tower or structure shall not exceed 35 feet in height. The sign may carry only the name of the Shopping Center and the names of the firms in the Center and shall face only upon the interior of the CP District or on the principal street or streets upon which the CP District fronts.
- c. One pylon sign or structure of a permanent type construction shall be permitted, provided the height does not exceed 30 feet and shall not exceed fifteen (15) feet in horizontal dimension. Such sign shall be at least twenty (20) feet

from any property line of the business center.

2. Parking

- a. There shall be provided in any District CP, off-street customer parking space in the ratio of at least one parking space for each 300 square feet of net floor area.
- b. The off-street parking space required shall be in addition to any space used for a commercial parking lot, loading zone, or commercial delivery cars.
- c. Ample off-street space for standing, loading and unloading shall be provided within the development.

3. Buffer and Screening

- a. A buffer area of open ground shall be located at least twenty-five (25) feet from all lot lines. The buffer area shall be landscaped and/or screened in a manner approved by the Commission.
- b. Where the Center adjoins an R District all off-street parking and loading areas shall be permanently screened from adjoining property or property lying across the street or alley from said parking area by a solid wall, fence and/or screen planting sufficiently thick to serve the purpose of a solid screen; and said screening shall be not less than four (4) feet in height and shall be maintained in good condition.
- c. No parking spaces shall be permitted in the buffer area.

4. Lighting - The planned business center shall be provided with general out-door lighting of streets, walkways and parking areas so as to provide a minimum general illumination of 0.3 foot candles and provide safe movement of pedestrians and vehicles

at night. Light standards for the illumination of parking areas shall be at least twelve (12) feet above ground level, but shall not exceed eighteen (18) feet in height. Lights used to illuminate the parking area shall be so placed that they will not reflect on adjoining streets and property.

5. Lot Coverage - The area occupied by buildings in the business center shall not exceed 25 percent of the total lot area.
6. Performance Standards - When located adjacent to any R District, the CP District uses shall meet all of the performance standards for residential uses.
7. Development Plan Requirements - The Development Plan contains the following:
 - a. Location, dimensions and proposed use of each building and structure.
 - b. Location of all open storage areas, walls and fences, including height of such walls and fences.
 - c. Location, capacity and dimensions of all off-street parking areas and driveways.
 - d. All areas to be paved and all areas to be sodded or given other landscape treatment.
 - e. All landscaping, including type of plant materials and irrigation system.
 - f. All finish grades.
 - g. Location and dimensions of all signs.
 - h. Location of all outdoor lights.
 - i. Elevations of all buildings showing architectural features.
8. Resubdivision for Individual Sale.

Any planned Business Centers in which building sites are subdivided and sold to individual purchasers shall comply with all the requirements set forth

herein and shall provide for a single common owner of all open space, buffer areas, roadways and all other areas of the development, except the individual sites. The City Council shall require suitable agreements, covenants, or deed restrictions to be placed as of record, fixing the rights and obligations of the common and individual owners before approving the subdivision plat.

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DISTRICT PRD-Planned Residential Development

Section 21.18.030

Intent

The District PRD is intended to provide for development of large tracts of land under single or multiple ownership into residential areas, using innovative site designs, such as variable lot sizes, clustering, common open-spaces and recreation facilities, and similar features.

Location

The PRD may be located in any residential district at the density allowed by the primary zone, provided that it shall have direct access to an arterial or collector street and the site is so located as to meet the standards of this regulation.

Site Plan Approval

The considerations for approval and recommendation of the plan shall be that:

1. The property adjacent to the area included in the plan shall not be adversely affected.
2. The Plan is consistent with the intent and purposes of this order to promote health, safety, morals and general welfare.
3. The buildings shall be used only for residential purposes and the usual accessory uses such as garages, storage, administration buildings and community activities.
4. The maximum height for any building shall not be greater than the height permitted for that type of building in the district where such type is classified.
5. The average lot area per dwelling unit shall not be less than that required in the district where the development is located, except as herein provided.

6. That covenants be submitted with the final plan in which the property owner, their successors and assigns agree to own, operate and maintain all private roads, parking spaces, walks, courts, recreation areas and open spaces.

Standards

1. Size and Drainage: A planned residential development shall have a minimum area of five acres. The area shall be located on a well-drained site, properly graded to insure rapid drainage and freedom from stagnant pools of water. The area shall consist of suitable natural soil or well-consolidated inert-fill.
2. Buffer and Screening: A buffer area of open ground shall be located at least fifty (50) feet from all lot lines or, where adjoining a street, from the designated street line. The buffer shall be landscaped.
3. Streets and Sidewalks:
 - a. Improved streets shall be provided where necessary to furnish convenient access to each residence and other important facility in the development. Pavements shall be of adequate widths to accommodate the parking and traffic load in accordance with the type of street as follows:
 - (1) All entrance streets and collector streets with guest parking on both sides -- 36' minimum.
 - (2) Collector streets with no parking -- 24' minimum (all parking areas shall be served by a minimum of a collector street).
 - (3) Minor street with parking on one side -- 28' minimum.
 - (4) Minor or cul-de-sac street with no parking -- 20' minimum. (Each residence containing

an off-street parking space shall be served by a minimum of a minor street.)

b. Concrete walkways shall be provided as follows:

- (1) Individual walks (a minimum of two (2) feet in width) shall be provided to each residence from a paved street or parking area.
- (2) Common walks (a minimum of three (3) feet in width) shall be provided from residences to service buildings and common open space and recreational facilities, preferably through interior areas removed from the streets.

c. All streets and general parking areas shall be constructed in accordance with City Standards for public streets and parking areas.

4. Lighting: The Planned Residential Development shall be provided with general out-door lighting of walkways, streets, general storage and service areas and recreation areas so as to provide a minimum general illumination of 0.3 foot candles and provide safe movement of pedestrians and vehicles at night.

5. Open Space: An area of the Planned Residential Development shall be required to be set aside as common usable open space. The amount of land to be set aside shall be a minimum of twenty (20 percent of the total land area of the development. Areas set aside as buffer strips or any portion of a residential site or lot shall not be included as common usable open space.

6. Facilities provided may include:

- a. Swimming pool
- b. Children's playground
- c. Tennis or other game area

- d. Game or recreation rooms or club houses
- e. Storage facilities
- f. Green areas and lawns
- g. Management office or other common facilities

The planning may require such of the above facilities as it deems necessary and appropriate for the site. No more than one-third (1/3) of the open space area shall be used for buildings or structures, other than swimming pools and game courts.

7. Parking: Two (2) off-street parking spaces shall be provided within one hundred (100) feet of each dwelling unit. No off-street parking shall be located within any required usable open space. The development plan shall provide adequate storage areas in addition to auto parking requirements for accessory vehicles such as trucks, boats and travel-trailers, all of which shall be prohibited from being stored or parked in the required auto parking areas.

8. Utilities: All utilities, including telephone, electric power, and CATV cables shall be located underground.

9. Landscaping: All yard areas shall be sodded and/or landscaped and maintained adequately.

Preliminary Plan:

- 1. The developer of a Planned Residential Development shall submit to the Commission four (4) copies of a preliminary plan for the proposed development.
- 2. The preliminary plan shall contain the following:
 - a. Location, dimensions and proposed use of each building and structure.
 - b. Location of all open storage areas, walls and fences, including height of such walls and fences.
 - c. Location, capacity and dimensions of all off-street parking areas and driveways.
 - d. Number of dwelling units in each building.

- e. All areas to be paved and all areas to be sodded or given other landscape treatment.
- f. All landscaping, including type of plant materials.
- g. All finish grades.
- h. Location and dimension of all signs.
- i. Location of all outdoor lights.

The Commission shall advertise and hold a public hearing on the preliminary plans and may approve, disapprove, or approve with conditions the preliminary plan. If the Commission disapproves or approves with conditions the preliminary plan, the applicant shall be notified of the reasons for such act and what requirements will be necessary to meet the approval of the Commission. Approval of the preliminary plan is authorization to proceed with preparation of a final plan.

Final Plan:

1. Upon approval by the Commission of the preliminary plan, the applicant shall have one (1) year to submit a final plan for review and approval. The final plan may be submitted for all or a portion of the area covered by the preliminary plan. If the Commission finds that the final plan conforms to the preliminary plan, it shall approve such plan and file it for record in the office of the Director of Planning.
2. If the final plan fails to conform to the preliminary plan, it may be submitted to the Commission as an amended preliminary plan, upon which the Commission shall advertise and hold a public hearing.
3. No building permit shall be issued for any construction until the Commission shall have approved the final plan of the first stage of development.
4. Developer shall prepare a schedule of construction, which construction shall begin within one (1) year following approval of the final plan. Failure to begin construction within one (1) year after approval shall void the plan

unless a request for an extension of time is made by the applicant and approved by the Commission.

5. After the final plan has been approved, and when, in the course of carrying out the plan, adjustments or rearrangements of buildings, parking areas, entrances or open spaces are requested by the applicant and such request conforms to the standards established by the approved final plan, such adjustments may be approved by the Commission. The Commission may require such off-site improvements as are necessary to meet the conditions of this Article or as required by the City Engineer.

Resubdivision for Individual Sale.

Any Planned Residential Development in which dwellings or sites are subdivided and sold to individual purchasers shall comply with all the requirements set forth herein and shall provide for a single common owner of all open space, buffer areas, roadways and all other areas of the development except the individual sites. Individual site owners shall pay all taxes on the individual site. The Commission shall require suitable agreements, covenants, or deed restrictions to be placed as of record fixing the rights and obligations of the common and individual owners before approving the subdivision plat. The subdivision shall comply with all of the requirements of the subdivision regulations.

Chapter 21.20

GENERAL PROVISIONS AND EXCEPTIONS

Sections:

- 21.20.010 Generally.
- 21.20.020 Establishing places of assemblage.
- 21.20.030 Posting advertising matter on poles, sidewalks, etc.
- 21.20.040 Erection of dwelling near sewage disposal plant.
- 21.20.050 Amusement places in C-1, C-2 Districts.
- 21.20.060 Accessory buildings-C and M Districts.
- 21.20.070 Mining.
- 21.20.080 Utility distribution lines.
- 21.20.090 Residential uses in C-2, C-3 Districts.
- 21.20.100 Animals in R Districts.
- 21.20.110 Signs-Additional permitted.
- 21.20.120 Canopy over public sidewalk.
- 21.20.130 Exceptions to building height limits.
- 21.20.140 Fence, hedge.
- 21.20.150 Lots less than minimum size.
- 21.20.160 Canopy, cornice-Side lot line.
- 21.20.170 Porches, stairways-Front yard.
- 21.20.180 Yards-Measurement.
- 21.20.190 Accessory buildings-Location.
- 21.20.200 Minimum front yard-Non-complying blocks.
- 21.20.210 Side yard width-Lots less than fifty feet.
- 21.20.220 Dwellings in C District-Yards.
- 21.20.230 Distance between dwellings.
- 21.20.240 Access to single row dwelling group.
- 21.20.250 Inner court-Access to double row dwelling group.
- 21.20.260 Fire control.
- 21.20.270 Architectural control-Submission of plans.
- 21.20.280 Architectural committee-Appointment.
- 21.20.290 Architectural committee-Authority.

- 21.20.300 Appeal from architectural committee decision.
- 21.20.310 Appeal from planning committee decision.
- 21.20.320 Conditions for issuing permits.
- 21.20.330 Continuance of existing non-conforming land use.
- 21.20.340 Continuance of existing non-conforming building use.
- 21.20.350 Extending non-conforming building use.
- 21.20.360 Extending non-conforming land use.
- 21.20.370 Changing non-conforming building use.
- 21.20.380 Lapse in use of non-conforming building.
- 21.20.390 Non-conforming building-Repairing damage over fifty per cent.
- 21.20.400 Non-conforming building-Normal repairs.
- 21.20.410 Work under existing building permits.
- 21.20.420 Home occupation.

21.20.010 Generally. The regulations specified for this title shall be subject to the following general provisions and exceptions.

21.20.020 Establishing Places of Assemblage. No theatre, circus, carnival, amusement park, open air theatre, race track, private recreation centers, or other similar establishments involving large assemblages of people may be established in any district unless and until a use permit is first secured for the establishment, maintenance and operation of such use.

21.20.030 Posting Advertising Matter on Poles, Sidewalks, etc. It shall be unlawful at any time to erect or place upon or maintain upon any utility poles, traffic regulating sign, lamp post, street, sidewalks, or appurtenances thereto, any advertising material of any nature whatsoever. This provision shall not apply to or restrict any public utility or public authority from erecting any signs or

other markers that may be necessary for public health, safety or welfare.

21.20.040 Erection of Dwelling Near Sewage Disposal Plant.

No dwelling, trailer, or structure, in which human beings dwell shall be erected or maintained within a distance of five hundred feet of any sewage disposal plant in the City of El Paso de Robles.

21.20.050 Amusement Places in C-1, C-2 Districts. No dance hall, road house, night club, commercial club, or any establishment where liquor is served, or commercial place of amusement or recreation, shall be established in any C-1 or C-2 District, unless a use permit shall first have been secured for the establishment, maintenance and operation of such use.

21.20.060 Accessory Buildings-C and M Districts. Accessory uses and buildings in any C or M District may be permitted where such uses or buildings are incidental to and do not alter the character of the premises in respect to their use for purposes permitted to the district. Such accessory buildings shall be allowed only when constructed concurrent with or subsequent to the main building.

21.20.070 Mining. The removal of minerals, earth and other natural materials may be permitted, providing a use permit shall first be obtained in each case.

21.20.080 Utility Distribution Lines. Public utility distribution and transmission lines, both overhead and underground, shall be permitted in all districts without limitation as to height and without the necessity of first obtaining a zoning permit or a use permit; provided, however, that the routes of proposed electric transmission lines shall be submitted to the planning commission for approval and said approval shall be received prior to acquisition of rights-of-way therefore and any construction thereon.

21.20.090 Residential Uses in C-2, C-3 Districts. Residential uses may be permitted in the C-2 and C-3 Districts when accessory and essential to the operation of uses permitted in such districts provided a use permit shall first be obtained.

21.20.100 Animals in R Districts. Subject to first securing a use permit, the keeping of cows, horses, mules, burros, and sheep is permitted in any "R" District on parcels of land of not less than twenty thousand square feet in area. Two adult animals may be kept on any twenty thousand square foot parcel together with their immature offspring. An additional two adult animals and their immature offspring may be kept for each acre the parcel exceeds twenty thousand square feet. Stables, corrals, and similar buildings incidental to the keeping of such animals are permitted provided that none shall be located nearer than one hundred feet from the front lot line or fifty feet to any existing dwelling. Anything to the contrary notwithstanding, the keeping of any animals, shall be in a neat, clean and sanitary manner; it is the intention that no nuisance, private or public be maintained.

21.20.110 Signs-Additional Permitted. In addition to any other signs permitted in this title the following are allowed:

(a) A sign not exceeding in the aggregate six square feet in area, on each lot in any R-4, C or M District, for the purpose of advertising the sale or lease of any property upon which displayed.

(b) A sign not exceeding ten square feet in area, giving the name of any contractor, sub-contractor, or architect, during the period of actual construction on the signed property.

(c) Signs not exceeding one hundred square feet in area, advertising any subdivision. A use permit, valid for six months, shall be required for the erecting of such signs.

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Upon application to the planning commission the use permit may be renewed for successive six-month periods.

21.20.120 Canopy Over Public Sidewalk. It shall be unlawful to erect or cause to be erected or to maintain or permit to be maintained, any poster, sign, canopy, or other structure, or any advertising material, over or upon any public street, walk or parkway in the city except in a C or M District, and then only upon the securing of a use permit as provided herein.

21.20.130 Exceptions to Building Height Limits. Chimneys, silos, cupolas, flag poles, monuments, gas storage holders, radio and other towers, water tanks, church steeples and similar structures and mechanical appurtenances may be permitted in excess of height limits provided a use permit is first obtained in each case, except as provided in Section 21.20.080.

21.20.140 Fence, Hedge: No fence, hedge or screen planting of any nature shall be constructed, grown or maintained that exceeds the height of 6 feet within any side yard line of any building site without first having received approval of the Architecture Review Committee, but no such fence, hedge or screen planting shall be constructed, grown or maintained that exceeds the height of three feet within any area in front of the extension of the front yard set back line to the side yard lines without approval of the committee. The Architectural Review Committee may approve fences in the area to the front of the extension of the front yard line up to four feet in height provided that the fence shall be constructed in a manner to allow reasonable visibility through it.

21.20.150 Lots Less Than Minimum Required Size. Any lot or parcel of land of record 30 days before August 3, 1959, may be used as a building site even when of less area or

width than that required by regulations for the district in which it is located. Provided where a lot or parcel has been legally established as of August 3, 1959, and where adjoining land is under one ownership as of June 1, 1977, the minimum width for each lot shall be 50 feet with a minimum of 5,000 square feet. A Use Permit shall be obtained for lots of less than 50 feet in width or 5,000 square feet.

21.20.160 Canopy, Cornice-Side Lot Line. Architectural features such as cornices, eaves and canopies may not extend closer than three feet to any side lot line.

21.20.170 Porches, Stairways-Front Yard. Open uncovered porches, landing places or outside stairways may project not closer than four feet to any side lot line, and not exceeding six feet into any required front yard.

21.20.180 Yards-Measurement. Whenever an official plan line has been established for any street required, yards shall be measured from such line and in no case shall the provisions of this title be construed as permitting any encroachment upon any official plan line.

21.20.190 Accessory Buildings-Location. In case an accessory building is attached to the main building, it shall be made structurally a part of, and have a common roof with the main building, and shall comply in all respects with the requirements of this title applicable to the main building. Unless so attached, an accessory building in an "R" District shall be located on the rear one-half of the lot and at least ten feet from any dwelling building existing, or under construction on the same lot or any adjacent lot. Such accessory building shall not be located within five feet of any alley or within three feet of the side line of any lot, or in the case of a corner lot, to project beyond the front yard required or existing on the adjacent lot.

21.20.200 Minimum Front Yard-Non-Complying Blocks. Where four or more lots in a block have been improved with buildings, the minimum required front yard shall be the average of the improved lots if less than the requirements herein.

21.20.204 Minimum Set-Back for Apartments in the R-3 Zone. Whenever an apartment or other multi-family structure is built in any block in an R-3 district in which the set-back of the other structures is at least 25 feet the new structure shall be set back 25 feet.

21.20.210 Side Yard Width-Lots Less Than Fifty Feet. On any parcel of land of an average width of less than fifty feet, which was shown as a separate parcel, or shown as a lot on any subdivision map filed in the office of the county recorder of the County of San Luis Obispo prior to August 3, 1959, when the owner thereof owns no adjoining land, the width of each side yard may be reduced to ten per cent of the width of such parcel, but in no case to less than three feet.

21.20.220 Dwellings in C Districts-Yards. Every building or portion thereof which is designed or used for any dwelling purpose in any "C" District shall comply with the provisions of this title as to side yards which are required in "R" Districts; provided that when the ground floor of any such building is used for any commercial purpose, no side, front or rear yard shall be required.

21.20.230 Distance between Dwellings. Distance between buildings in any dwelling group--minimum ten feet.

21.20.240 Access to Single Row Dwelling Group. The side yard providing access to single-row dwelling groups shall be 15 feet.

21.20.250 Inner Court-Access to Double Row Dwelling Group. Inner court, providing access to double row dwelling group--minimum twenty feet.

21.20.260 Fire Control. See fire control regulations in uniform building code.

21.20.270 Architectural Control--Submission of Plans. In case an application is made for a permit for any office, commercial or industrial structure, said application shall be accompanied by architectural drawings or sketches showing the elevations of the proposed building or structure and proposed landscape or other treatment of the grounds around such building or structure. Such drawings or sketches shall be considered by the planning commission in an endeavor to provide that the architectural and general appearance of such buildings or structures and grounds be in keeping with the character of the neighborhood and such as not to be detrimental to the orderly and harmonious development of the city, or to impair the desirability of investment or occupation in the neighborhood.

21.20.280 Architectural Committee-Appointment. The planning commission may appoint an architectural committee of three of its members.

21.20.290 Architectural Committee-Authority. The architectural committee shall have authority to approve architectural sketches within the meaning of Sections 21.20.270-21.20.320 of this chapter.

21.20.300 Appeal From Architectural Committee Decision. In case the applicant is not satisfied with the decision of the architectural committee, he may within fifteen days after such action appeal in writing to the planning commission. The architectural committee may, if it deems it advisable, refer any application for architectural approval to the planning commission for its decision.

21.20.310 Appeal From Planning Committee Decision. In case the applicant is not satisfied with the action of the planning commission, he may within thirty days appeal in

writing to the city council, and said council shall render its decision within thirty days after the filing of such appeal.

21.20.320 Conditions for Issuing Permits. No permit shall be issued in any case hereinabove mentioned until such drawings and sketches have been approved by the planning commission, or by the city council in the event of appeal from the planning commission, and all buildings, structures and grounds shall be in accordance with the drawings and sketches.

21.20.330 Continuance of Existing Non-Conforming Land Use. The lawful use of land existing on August 3, 1959, although such use does not conform to the regulations herein specified for the district in which such land is located, may be continued, provided that no such use shall be enlarged or increased, nor be extended to occupy a greater area than that occupied by such use on August 5, 1959, and that if any such use ceases for a period of one year, the subsequent use of such land shall be in conformity to the regulations specified by this title for the district in which the land is located.

21.20.340 Continuance of Existing Non-Conforming Building Use. The lawful use of buildings existing on August 3, 1959 may be continued, although such use does not conform to the regulations specified for the district in which the building is located.

21.20.350 Extending Non-Conforming Building Use. The non-conforming use of a portion of a building may be extended throughout the building, provided that in each case a use permit shall first be obtained.

21.20.360 Extending Non-Conforming Land Use. The lawful use of land existing on August 3, 1959 within any district

providing for such use and which use occupies a site smaller than the minimum site required may be enlarged, provided that all other requirements are met within the area of enlargement and a use permit shall first be obtained.

21.20.370. Changing Non-Conforming Building Use. The non-conforming use of a building may be changed to a use of the same or more restricted nature, provided that in each case a use permit shall first be obtained.

21.20.380 Lapse in Use of Non-Conforming Building. If the non-conforming use of a building and/or operations within a building ceases for a continuous period of one year, it shall be considered abandoned and shall thereafter be used only in accordance with the regulations for the district in which it is located.

21.20.390 Non-Conforming Building-Repairing Damage Over Fifty Per Cent. A non-conforming building damaged or destroyed by fire, explosion, earthquake or other act to an extent of more than fifty per cent of the fair market value thereof, according to a competent appraisor, may be restored only if made to conform to all the regulations of the district in which it is located. Such building may be restored to a total floor area, not exceeding that of the former building, if a use permit is first secured in each case, where the damage did not exceed fifty per cent.

21.20.400 Non-Conforming Building-Normal Repairs. Ordinary maintenance and repairs may be made to any non-conforming building, providing no structure alterations are made and providing that such work does not exceed fifteen per cent of the fair market value in any one year period. Other repairs or alterations may be permitted provided that a use permit shall first be secured in each case.

21.20.410 Work Under Existing Building Permits. Nothing contained in this title shall be deemed to require any change in the plans, construction or designated use of any building for which a building permit has properly been issued, in accordance with the provisions of ordinances then effective and upon which actual construction has been started prior to August 3, 1959, provided that in all such cases actual construction shall be diligently carried on until completion of the building.

21.20.420 Home Occupation. A home occupation is a profession or other occupation not otherwise permitted in the district, which is conducted as an accessory use on a residential plot by one (1) or more members of the family residing on the premises, and which in residential districts conforms to the following additional restrictions:

1. The profession or other occupation shall be carried on wholly within the main building or accessory building.

2. Not more than one-half ($\frac{1}{2}$) of the floor area of the ground floor of the principal building is used for the occupation.

3. There shall be no exterior storage of materials and equipment, and no other exterior indication of such home occupation or variation from the residential character of the principal building.

4. There shall be no retail sales on the premises.

5. In particular, a home occupation includes, but is not limited to: art studio; dressmaking; teaching, with musical or dancing instruction limited to a single pupil at a time; author; artist; musician; or similar use; but shall not include animal hospital, automotive repair service, barbershop, beauty parlor, restaurant, tearoom, tavern or similar use.

6. There shall be no signs identifying the business.

Application: An application for a home occupation shall be made to the Planning Director describing the nature of the business and any alterations to be made to the residence. The Planning Director shall insure that the proposed use is consistent with the requirements of this section and with the requirements of Section 21.21.040, General Performance Standards for all Uses.

The Planning Director may approve, disapprove or approve with conditions the application subject to the review of the Planning Commission, provided however, that the applicant may appeal a decision by the Planning Director to the Planning Commission within 30 days.

Exception for hardship: The Planning Commission may grant an exception to the strict application of the above requirements when the applicant is able to show that there is a hardship upon the applicant which warrants such an exception. In such cases the applicant must prove that the activity for which the permit is requested is one that is light, clean, free from noise, and will have no adverse effect upon the residential character of the neighborhood. All such applications shall be granted by a use permit and shall be subject to annual review.

21.20.430 Waiver of Set-back Requirements: In new residential subdivisions the Planning Commission may waive front yard set-back requirements to allow a 15' set-back when an overall building site plan is submitted provided that all garages are set back the required distance or have entrances parallel to the front yard line.

Under these provisions the developer shall submit as part of the tentative plan a map at the same scale as the tentative map showing the location and size of all dwelling units in the subdivision and the driveways and garages for each dwelling unit. The Planning Commission shall review each site plan and may make such changes to the site plan

as it deems necessary. Whenever set-backs are waived under the provisions of this section, the building site plan shall be adopted as a condition for approval of the subdivision map.

Chapter 21.21

PERFORMANCE STANDARDS

21.21.010 Trailer Courts, Mobilehome Courts

1. The minimum building site shall be 5 acres and the minimum lot width shall be not less than 200 feet.
2. Maximum density shall be as follows:
 - a. "R-4" District: Not more than ten (10) mobilehome or trailer court spaces shall be provided on each acre of gross area of the facility.
 - b. "C-2" District: Not more than fifteen (15) mobilehome or trailer court spaces shall be provided on each acre of gross area of the mobile home park or trailer court.
3. Open area and density per trailer space or mobilehome space.

Recreation or Open Space shall be provided for each mobilehome park or trailer court of at least one thousand (1000) square feet plus two hundred (200) square feet for each mobilehome space or trailer court space over ten. This Open Space may be used in more than one location, but no location shall contain less than one thousand (1000) square feet of area. Each recreational and open space shall be accessible to all of the mobilehome or trailer court spaces in the facility and shall not be used for any other purpose.

4. Development Standards

All development in any mobilehome park or trailer court shall comply with the following standards:

- a. Internal streets within the mobilehome or trailer parks shall be paved not less than thirty (30) feet in width, and shall be improved and maintained according to the Improvement Standards adopted by the City.
- b. Parking Requirements: Each mobile home pad shall be provided with at least two parking spaces of

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which at least one shall be located on the mobile home site and the second not more than 200 feet from the mobile home. In addition, one guest parking space shall be provided for each five mobile home spaces in the park.

- c. All trash and garbage collection areas shall be surrounded on at least three sides by a solid fence at least five (5) feet in height and shall have adequate access for collection vehicles. All points of vehicular access to and from public streets shall be approved by the City Engineer.
- d. Fences and Walls. A solid masonry fence or similar type not less than six (6) feet in height shall be placed and maintained on property lines forming a common boundary of a mobile-home or trailer park abutting property lines other than the owner's.
- e. Access. Mobilehome and trailer parks must be served from internal streets within the mobile-home or trailer park, and there shall be no direct access from a mobilehome space or trailer space to a public street or road.
- f. Signs. Not more than one sign for each entrance to a public street from a mobilehome park or trailer court shall be constructed. In "R-4" Districts such signs shall not exceed twenty (20) square feet in area or eight (8) feet in height above the ground and must be parallel to the property line. If illuminated, it shall be by indirect lighting. In the "C-2" District, such sign shall not exceed fifty (50) square feet in area or twenty (20) feet in height from the ground, and not less than ten (10) feet to the entrance from the public street to the

mobilehome or trailer park.

- g. Maximum allowable height. The maximum allowable building or structural heights servicing the mobilehome or trailer court shall be thirty-five (35) feet.
- h. No mobilehome shall be parked less than twenty-five feet from the boundaries of any "R-1" District.
- i. Fire protection devices, hydrants, alarm systems shall be installed as approved by the Fire Department.
- j. Landscaping shall be provided as required by the Planning Commission.

5. Minimum Yards Required:

- a. No mobilehome or trailer space shall be located closer than twenty (20) feet from the property line when said line is a public street.
- b. No mobilehome or trailer space shall be closer than five (5) feet from any other portion of the property line of said mobilehome or trailer park.
- c. No mobilehome or trailer space shall be placed closer than five (5) feet from its side lot line or space boundary line.
- d. Storage areas shall be provided for boat trailers and other recreation vehicles as required by the Planning Commission.

21.21.020 Condominium, Cooperative, Cluster, Townhouses or Similar Developments

When, in this section, the word "condominium" is used the provisions shall apply also to cooperative, cluster, townhouse and other similar type structures.

- 1. Either new structures or the conversion of existing structures originally built for sale or lease shall be allowed in any "R" District upon securing a Use Permit as provided in this Section and further provided that:

Regulations governing use, building height, required yards, building separations, signs and off-street parking and other explicit regulations where applicable, shall be those of the Zoning District within which the development site is located.

2. Residential condominiums shall be classified as follows:

- a. Horizontal-one in which single-family dwelling units are constructed either as separate structures, or as self-contained units within a common structure having individual entrances and exits and utility connections, no opening in any wall common to two or more units, and no part of any unit on top of part of any other unit.
- b. Vertical-any duplex, triplex or apartment house as defined in the Uniform Building Code, in which any part of any dwelling unit is on top of any part of any other dwelling unit.

3. "Gross Area" as used in this Section shall mean the total area of the development site; including all areas held in common, and private streets and roads, but not public streets, alleys or other public areas.

4. In all residential condominiums the outdoor common area exclusive of all structures, shall contain an area having a slope of not more than 10%, and a minimum area per unit as follows:

- a. For horizontal condominiums: 600 square feet per unit.
- b. For vertical condominiums:
 - (1) Where structures average two stories or less: 500 square feet per unit.
 - (2) Where structures average more than two stories: 400 square feet per unit.

The requirements of this Section may be met in all or part by any equivalent open ground area which is a

party to any individual condominium.

5. In any condominium in which residential use are proposed in any "R" District, the main structure shall be separated from any other main structure on the same lot by a distance of not less than one-half of the sum of the height of the two buildings, and in no case less than 10 feet.

6. The side yard setback of any residential main structure on any condominium lot on a public street shall be ten (10) feet, when the distance between the front lot boundary and the rear lot boundary is 100 feet or less, and twenty feet if the distance between the front lot boundary and the rear lot boundary is over 100 feet.

7. Application for Use Permit shall be accompanied by:

- a. A map, to a workable scale showing site in relation to surrounding property, existing roads and other existing improvements.
- b. Site plan, showing proposed improvements, location of buildings on the ground, orientation of buildings, utilities, public services, public facilities, streets and alleys, landscaping, common areas, and the boundaries of the project.
- c. Drawing showing how air spaces are to be divided within the condominium.
- d. Copy of tentative Subdivision Map
- e. Floor plans and elevations of all proposed buildings and structures.
- f. Any information deemed necessary or desirable in assisting the Planning Commission in its determination on the Use Permit and the conditions thereof.
- g. A copy of the Declaration of Restrictions and proposed management arrangement, relating to the project as required by Section 1355 of the Civil Code.

8. It is the expressed intent of the City of El Paso de Robles to apply the foregoing regulations to condominiums, community apartments and similar type developments, whether cluster, townhouse or vertical design, because of permanent ownership or interest in the individual dwelling units, or the air space occupied thereby, renders these developments essentially different in nature from developments or buildings in which dwelling units are rented or leased.

9. Procedure:

Procedure for application for such permits and the review and issuance thereof shall be as provided in Chapter 21.24 unless otherwise mentioned herein.

21.21.030 Regulations for Swimming Pools

Swimming pools in any "R" District shall be constructed at least fifty (50) feet from the front line unless a different location is approved by the Planning Commission upon securing a Use Permit. Such pool may not be located closer than ten (10) feet to such lot line. The Planning Commission may reduce these requirements by fifty (50%) per cent upon securing a Use Permit in each case.

Filter and heating systems for such pools shall not be located closer than twenty (20) feet to any dwelling other than the owner's and shall be screened by landscaping or solid fence.

All swimming pools shall be completely enclosed by a fence or building at least six (6) feet in height and all gates shall be self-latching.

21.21.040 General Performance Standards for All Uses

1. Fire and Explosion Hazards.

All activities involving, and all storage of inflammable and explosive materials shall be provided with adequate safety devices against the hazard of fire and explosion and adequate fire-fighting and fire-suppression equipment and devices standard in industry and as approved

by the Fire Department. All incineration is prohibited.

2. Radioactivity or Electrical Disturbance.

Devices which radiate radio-frequency energy shall be so operated as not to cause interference with any activity carried on beyond the boundary line of the property upon which the device is located.

3. Noise.

At the lot line the maximum sound pressure level radiated in each standard octave band by any use or facility (other than transportation facilities or temporary construction work) shall not exceed the dB-A values given in Table I, after applying the correction shown in Table II.

Sound pressure level shall be measured with a Sound Level Meter and associated Octave Band Analyzer, conforming to standards Association. (American Standard Sound Level Meters for Measurement of Noise and other Sounds, Z24.3-1944, American Standards Association, Inc., New York N.Y. and American National Standard Specifications for an Octave-Band Filter set for the Analysis of Noise and Other Sounds, Z24-10-1953, American Standards Association, Inc., New York, shall be used.)

Measurements shall be made as follows:

Table I

<u>Residential</u> <u>Maximum Permitted</u> <u>Sound Level at</u> <u>Lot Line</u> <u>(in Decibels)</u>	<u>Commercial</u> <u>Maximum Permitted</u> <u>Sound Level at</u> <u>Lot Line</u> <u>(in Decibels)</u>	<u>Industrial</u> <u>Maximum Permitted</u> <u>Sound Level at</u> <u>Lot Line</u> <u>(in Decibels)</u>
db-A-55	dB-A-65	dB-A-68

If the noise is not smooth and continuous and is not radiated between the hours of 1:00 a.m. and 7:00 a.m., one or more of the corrections in Table II shall be applied to the Octave Band Levels given in Table I.

Table II

Type of Location of Operation Character of Noise	Correction in Decibels
a. Daytime operation only	Plus 5
b. Noise source operated less than:	
A. 20% of any one-hour period	Plus 5
B. 5% of any one-hour period	Plus 10
(Apply one of these corrections only)	
c. Noise of impulsive character such as hammering	Minus 5
d. Noise of periodic character such as hammering or screeching	Minus 5

4. Vibration:

No vibrations shall be permitted so as to cause a noticeable tremor, measurable without instruments at the lot line.

5. Smoke:

Except for fireplaces and barbeques no emission shall be permitted at any point from any chimney or otherwise of visible grey smoke or of a shade equal to or darker than No. 2 on Power's MICRO Ringlemenn Chart as issued by the United States Bureau of Mines, except that visible grey smoke of a shade equal to No. 3 on said chart may be emitted for four (4) minutes in any thirty (30) minutes.

6. Odors:

Except for fireplaces and barbeques, no emission shall be permitted of odorous gasses or other odorous matter in such quantities as to be readily detectable when diluted in the ration of one volume of odorous air to four volumes of clean air, at the lot line.

Any process which may involve the creation or emission of any odors shall be provided with a secondary safeguard system so that control will be maintained if the primary safeguard system should fail. There is hereby established as a guide in determining such quantities of offensive odors, Table III. "Odor Thresholds," in Chapter V, "Air Pollution Abatement Manual," copyright 1951 by Manufacturing Chemists'

Association, Inc., Washington, D.C.

7. Fly Ash, Dust, Fumes, Vapors, Gases and Other
Forms of Air Pollution:

No emission shall be permitted which can cause any damage to health, animals, vegetations, or other forms of property, or which can cause any excessive soiling at any point. No emissions shall be permitted in excess of the standards specified in Table I, Chapter V, "Industrial Hygiene Standards, Maximum Allowable Concentrations" of the "Air Pollution Abatement Manual" copyright 1951 by the Manufacturing Chemists' Association, Inc., Washington, D.C. In no event shall any emission from any chimney or otherwise, of any solid or liquid particles in concentrations, exceed 0.3 grains per cubic foot of the conveying gas at any point after January 1, 1975. For measurement of the amount of particles in gases resulting from combustion, standard corrections shall be applied to a stack temperature of 500 degrees Fahrenheit and fifty (50% per cent excess air.)

8. No direct glare, whether produced by floodlight, high temperature processes such as combustion or welding, or other processes, so as to be visible from any boundary line of the property on which the same is produced shall be permitted. Sky-reflected glare from buildings or portions thereof shall be so controlled by such reasonable means as are practical to the end that the said sky reflected glare will not inconvenience or annoy persons or interfere with the use and enjoyment of property in and about the area where it occurs.

21.21.050 Off Street Automobile and Vehicle Parking and Loading

1. General Intent and Application - It is the intent of these requirements that adequate parking and loading facilities be provided off the street for each use of land within the City. Requirements are intended to be based on the demand created by each use. These requirements shall apply to all uses in all districts.
2. Application Procedure
 - a. In all districts, in connection with every use, except as noted below, sufficient off-street parking shall be provided to accomplish the principles set forth in this ordinance and to meet the parking demands generated by residents, employees, company officials, company vehicles, and customers. Required parking spaces shall be located on the lot on which the principle use is located except as provided in this section.
 - b. Each application for a building permit shall include plans for at least the minimum number of parking spaces as herein required. Plans shall include information as to location and dimensions of off-street parking spaces and the means of access to the spaces. The building official shall not approve any permit until he determines that the requirements of this section are met in the plans.
 - c. Each parking space shall contain not less than two hundred (200) square feet in area exclusive of access and circulation aisles with a concrete or asphalt concrete or similar hard surface approved by the City Engineer. Areas normally used for drive-in customer service such as drive-in windows and gas pump service areas shall not be counted as required parking spaces.

- d. No required parking spaces shall be permitted in the front or side yard set-back areas. Tandem parking may be permitted by use permit. Required parking spaces may be permitted in back yard areas.
- e. If the off-street parking space required by this Ordinance cannot reasonably be provided on the lot on which the principal use is located, such space may be provided on any land within two hundred feet (200') exclusive of street and alley widths of the principal building or use. The principal use shall be permitted to continue only as long as its parking requirements are met.

3. Minimum Spaces - The minimum number of required spaces shall be determined by the following criteria: (In addition, a developer shall evaluate his own needs to determine if they are greater than the minimum specified in this Ordinance.)

- (1) Single-Family Dwellings: Two (2) garages per dwelling unit.
- (2) Two Family Dwellings: Two (2) parking spaces per dwelling unit.
- (3) Multi-Family Dwellings:
 - a. $1\frac{1}{2}$ spaces for each 1 bedroom unit.
 - b. 2 spaces for each 2 bedroom unit.
 - c. $2\frac{1}{2}$ spaces for each unit with 3 or more bedrooms.
- (4) Churches: One (1) parking space for each four (4) seats in the principal place of assembly.
- (5) Schools: One (1) space for each staff member and employee. In the case of secondary schools, one (1) additional parking space for each eight (8) students in grades 9-12 shall be provided.
- (6) Community Centers: Ten (10) parking spaces plus one (1) additional parking space for each three

Chapter 21.04

ADOPTION AND ENFORCEMENT OF ZONING ORDINANCE AND MAP

Sections:

- 21.04.010 Adoption of Zoning Ordinance and Map
- 21.04.020 Purpose of adopting
- 21.04.030 Declared part of general plan
- 21.04.040 Conformance required
- 21.04.050 Interpretation
- 21.04.060 Permits not conforming-Void
- 21.04.070 Penalties for violations
- 21.04.080 Structures and land use contrary to provisions
- 21.04.090 Remedies cumulative
- 21.04.100 Severability
- 21.04.110 Title

21.04.010 Adoption of Zoning Ordinance and Map. There is hereby adopted a zoning Ordinance and Map for the City of El Paso de Robles, State of California, said zoning ordinance and map being a districting plan as provided by law.

21.04.020 Purpose of Adopting. The purpose of this title is to promote the growth of the City of El Paso de Robles in an orderly manner and to promote and protect the public health, safety, comfort and general welfare.

21.04.030 Declared Part of General Plan. The zoning ordinance and map effectuated by this title is part of the general plan and consists of the establishment of various districts, including all the territory within which the use of land and buildings and the height and bulk of buildings are regulated.

21.04.040 Conformance Required. No building or structure shall be erected, reconstructed or structurally altered in any manner, nor shall any building or land be used for any purpose other than as permitted by and in conformance with

- hundred (300) square feet of floor area.
- (7) Stadiums: One (1) parking space for each six (6) spectator seats.
 - (8) Hospitals: One (1) parking space for each employee and one (1) additional space for each four (4) patient beds.
 - (9) Motels and Hotels: One (1) space for each employee and one (1) parking space for each rental unit.
 - (10) Retail Business and Service Establishments:
One (1) space for each company vehicle and one (1) space for each three hundred (300) square feet of net floor area.
 - (11) Service Stations: Two (2) parking spaces for each gas pump and three (3) spaces for each grease rack.
 - (12) Restaurant, Cafe, Night Club or Similar Establishment: One (1) parking space for every two (2) employees and one (1) additional space for each one hundred (100) square feet of serving area.
 - (13) Office Building, Banks and Similar Institutions:
One (1) parking space for each two hundred (200) square feet of net floor area.
 - (14) Auto Sales and Garages: One (1) parking space for each employee and four (4) spaces for each maintenance stall.
 - (15) Pool Halls, Bowling Alleys, and Similar Recreational Facilities: One (1) parking space for each two hundred (200) square feet of net floor area.
 - (16) Funeral Homes: One (1) parking space for each fifty (50) square feet of net floor area.
 - (17) Theaters: One (1) space for every six (6) seats.
 - (18) Clinics: One (1) space for each 300 square feet of floor area and one (1) space for each two staff members.

(19) Manufacturing Industries: One parking space for each three (3) employees but in no case less than one (1) parking space for each 2,000 square feet of the total ground and building area used for storage.

(20) Wholesale, Retail and Commercial Storage: One (1) parking space for each employee and one (1) space for each company vehicle stored at the site.

4. Additional Requirements:

- a. Where fractional spaces result, the parking spaces required shall be construed to be the nearest whole number.
- b. The parking space requirement for a use not specifically mentioned herein shall be the same as required for a use of similar nature as determined by the Planning Commission.
- c. Whenever a building or use constructed or established after the effective date of this Ordinance is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity or otherwise, to create a need for an increase of ten per cent (10%) or more in the number of existing parking spaces, such spaces shall be provided on the basis of the enlargement or change. Whenever a building or use existing prior to the effective date of this Ordinance is enlarged to the extent of fifty percent (50%) or more in floor area or in the area used, said building or use shall then and thereafter comply with the parking requirements set forth herein.
- d. In the case of mixed or joint use, the parking spaces required shall equal the sum of the requirements of the various uses computed separately.

5. Parking Not Located on the Same Lot - All parking spaces required herein shall be located on the same lot with the building or use served, except that

where an increase in the number of spaces is required by a change or enlargement of use or where such spaces are provided collectively or used jointly by two or more buildings or establishments, the required spaces may be located and maintained not to exceed two hundred (200) feet from the building served.

a. Up to fifty percent (50%) of the parking spaces required for:

- (1) Theaters, public building, bowling alleys, dance halls, night clubs, or cafes, and up to one hundred percent (100%) of the parking spaces required for a Church or school auditorium may be provided and used jointly by,
- (2) Banks, offices, retail stores, repair shops, service establishments and similar uses not normally open, used or operated during the same hours as those listed in (1); provided, however, that written agreement thereto is properly executed and filed as specified below and shall be reviewed annually for compliance.

b. In any case where the required parking spaces are not located on the same lot with the building or use served or where such spaces are collectively or jointly provided and used, a written agreement thereby assuring their retention for such purposes, shall be properly drawn and executed by the parties concerned, approved as to form and executed by the City Attorney and shall be filed with the application for a building permit.

6. Size of Off-Street Parking Space - The size of a parking space for one vehicle shall consist of a rectangular area having dimensions of not less than nine (9) feet by twenty (20) feet plus adequate area for ingress and egress.

7. Off-Street Loading Requirements - Every building or part thereof erected or occupied for retail business, service, manufacturing, storage, warehousing, hotel, mortuary, or any other use similarly involving the receipt or distribution by vehicles or materials or merchandise, shall provide and maintain on the site premises, off-street loading space in accordance with the following requirements:
- a. Within any Commercial Zoning District, one (1) loading space for each ten thousand (10,000) square feet of gross floor area.
 - b. Within any Industrial Zoning District, one (1) loading space for each fifteen thousand (15,000) square feet of gross floor area.
 - c. For the purpose of this section, an off-street loading space (exclusive of adequate access drives and maneuvering space) shall have minimum dimensions of twelve (12) feet by forty (40) feet and an overhead clearance of fourteen (14) feet in height above the alley or street grade.
8. Off-Street Parking Lot Construction and Maintenance:
- a. Lots adjacent to Residential Districts - Whenever off-street parking lots for more than six (6) vehicles are to be located adjacent to a residential district, the following provisions shall apply:
 - (1) All sides of the lot to the rear of the setback line district shall be enclosed with masonry wall having a height of not less than five (5) nor more than six (6) feet. Such wall shall be maintained in good condition.
 - (2) No parking shall be permitted within a front yard setback line established ten (10) feet back of the property line of interior and

corner lots wherever the parking lot immediately abuts the front yard of a residential unit. In all other cases, no setback shall be required; provided, however, that on any corner lot formed by two (2) intersecting streets, no parking shall be permitted, and no wall, fence, sign, structure or plant growth having a height in excess of three (3) feet above the elevation of the crown of the adjacent roadway surface shall be maintained in a triangle formed by measuring a distance of thirty (30) feet along said front and side lot lines, from their point of intersection, and connecting the points so established to form a triangle on the area of the lot adjacent to the street intersection.

- b. Paved Surface Required - All parking spaces required under the provisions of this Section shall be paved with a sealed surface pavement and maintained in a manner that no dust will result from continued use.

9. Waiver of Parking in Parking Districts.

Parking required in any "C-1", "C-2", or "C-3" District may be reduced below the stated requirements in any portion of such district which is included within a public parking district or assessment district for financing off-street parking facilities. When such districts are formed, the ordinance creating the district shall specify the manner in which parking requirements may be reduced.

21.21.060 Self-Service Petroleum Sales

- 1. Definition: Self-service petroleum sales shall mean any use either alone or in combination with other uses in which gasoline or diesel fuel for motor vehicles is sold to

the public in a manner requiring the customer to provide a portion of the labor involved in dispensing the fuel.

2. Combining Uses: Self-service petroleum sales may be permitted as the primary use of a site or may be combined with other retail or service commercial uses. When combined with other uses, the site shall be developed under the provisions of Section 21.20.090 of this ordinance.

3. Accessory Uses: Accessory uses shall be limited to the retail sale of packaged petroleum products, cleaning and polishing agents, distilled water, minor automobile accessories, and food, beverages, and tobacco products normally sold in dispensing machines.

4. Location and Access: Self-service petroleum sales shall be located on property, having having direct access to a major arterial street and preferably on a corner lot at the intersection of an arterial street and another arterial or collector street. Access to the site shall be provided by at least two driveways.

5. Minimum Lot Size: The minimum lot size shall be 1,200 square feet for each pump.

6. Landscaping and Screening: The site shall be screened with a 6 foot masonry wall against all residential zones and shall be screened from an abutting commercial zone if the adjacent use is incompatible with the service station. Not less than 50% of the street frontage shall be landscaped.

7. Sight Distance on Corners: In order to preserve the sight distance advantage at corners of the station, that area defined by a straight line drawn between curb cuts shall be landscaped with low profile, low maintenance plants. Signs and/or light standards may be permitted within this area, but the bottom of any sign or light fixture shall be not lower than 10 feet. No "sandwich boards" or other portable signs

may be placed in this area.

8. Distance Between Curb Cuts: A distance of at least twenty-four (24) feet shall be provided between curb cuts on the same street. The curb cuts shall be a distance of not less than five (5) feet from the terminus of the curve radius of the intersecting streets curbs.

9. Off-Street Parking: There shall be two (2) parking spaces for every three employees or major fraction thereof (minimum of two spaces).

10. Miscellaneous Standards:

- a. Pump islands located parallel to the street shall observe a 12 foot setback. Pump islands located perpendicular to the street shall observe a 25 foot setback.
- b. No delivery tanker shall be allowed to park on public right-of-way during gasoline delivery, nor shall any hose be permitted on the public right-of way.
- c. Outdoor displays shall be located so as not to obstruct visibility for autos leaving or entering the station. No outdoor displays may be located in required parking or driveway areas.
- d. At least two public restrooms shall be maintained for customers.
- e. The station shall provide at least one public drinking fountain readily available to customers and preferably located near the front entrance to the sales office or cashier's area.
- f. All trash, shall be stored within a fenced enclosure in the rear half (or in the case of corner sites, near quarter) of the site.
- g. The station shall provide compressed air and radiator water at each pump island.

21.21.070 Gasoline Service Stations

1. Location and Access. Gasoline service stations shall be located on property having direct access to a major arterial street and preferably on a corner lot at the intersection of a major arterial street and other arterial or collector street. Access to the station shall be by at least two driveways.
2. Minimum Lot Size. The minimum lot size shall be 2,500 square feet for each pump.
3. Landscaping and Screening. The site shall be screened with a 6 foot masonry wall against all residential zone and shall be screened from an abutting commercial zone if the adjacent use is incompatible with the service station. Not less than 50% of the street frontage shall be landscaped.
4. Sight Distance on Corners. In order to preserve the sight distance advantage at corners of the station, that area defined by a straight line drawn between curb cuts shall be landscaped with low profile, low maintenance plants. Signs and/or light standards may be permitted within this area, but the bottom of any sign or light fixture shall be not lower than 10 feet. No "sandwich boards" or other portable signs may be placed in this area.
5. Distance Between Curb Cuts. A distance of at least twenty-four (24) feet shall be provided between curb cuts on the same street. The curb cuts shall be a distance of not less than five (5) feet from the terminus of the curve radius of the intersecting streets curbs.
6. Off-Street Parking. There shall be two (2) parking spaces for every three employees or major fraction thereof (minimum of two spaces). Parking spaces for each grease or wash rack, and one parking or standing space for each gasoline pump.

7. Miscellaneous Standards.

- a. Grease and wash racks shall be limited to one per 5,000 square feet of site area. All wash and grease racks are to be contained entirely within a building.
- b. Pump islands located parallel to the street shall observe a 12 foot setback. Pump islands located perpendicular to the street shall observe a 25 foot setback.
- c. No delivery tanker shall be allowed to park on public right-of-way during gasoline delivery, nor shall any hose be permitted on the public right-of-way.
- d. Outdoor displays shall be located so as not to obstruct visibility for autos leaving or entering the station. No outdoor displays may be located in required parking or driveway areas.
- e. At least two public restrooms shall be maintained for customers.
- f. The station shall provide at least one public drinking fountain readily available to customers and preferably located near the front entrance to the sales office or cashier's area.
- g. All used tires and parts, trash, or similar objects shall be stored within a fenced enclosure in the rear half (or in the case of corner sites, rear quarter) of the site.
- h. The station shall provide compressed air and radiator water at each pump island.

21.21.080 Commercial Storage Buildings

1. Definition: A Commercial Storage Building is any storage building divided into individual compartments having direct access to the outside of the building and intended to be used principally to provide rental spaces to the general public for storage purposes.
2. Location and Access: Commercial storage buildings may be permitted only in the C-3, M and P.M. Zoning district and shall be designed with two access drives with a continuous driveway which serves all units and permits a continuous flow of traffic without backing up.
3. Minimum Lot Size: The Minimum lot size shall be 5,000 square feet.
4. Off-Street Parking and Loading: There shall be one off-street automobile parking space for each five rental units. Off-street loading spaces shall be designed in a manner to permit one loading space at least 15' x 40' for every 4 rental units. The spaces shall be located adjacent to the storage units served and shall not impede the flow of internal traffic on the lot and shall be in addition to the interior driveway.
5. Sanitary Facilities: At least one restroom for each sex shall be provided for each 40 rental units or fraction thereof and shall be available at all times to renters and employees. The restrooms shall be maintained in a clean and sanitary condition at all times.
6. Landscaping and Screening: The building site shall be landscaped in a manner approved by the Planning Commission.
7. Commercial Uses Prohibited: The use of all rental units shall be limited to storage. Renters may conduct minor maintenance such as cleaning, minor repairs and spot painting

this title and all other ordinances, laws and maps referred to therein.

21.04.050 Interpretation. When interpreting and applying the provisions of this title, they shall be held to be the minimum requirements adopted for the promotion of the public health, safety, comfort, convenience and general welfare. Except as specifically herein provided, it is not intended by the adoption of this title to repeal, abrogate, annul, or in any way impair or interfere with any existing provision of law or ordinance, or any rules, regulations or permits previously adopted or issued, or which shall be adopted or issued pursuant to law relating to the erection, construction, establishment, moving, alteration or enlargement of any building or improvement. It is not intended by this title to interfere with or abrogate or annul any easement, covenant or other agreement between parties. However, in cases in which this title imposes a greater restriction upon the erection, construction, establishment, moving, alteration or enlargement of buildings, or the use of any building or premises in any district or districts than is imposed or required by such existing provisions of law or ordinance, or by such rules, regulations or permits, or by such easements, covenants or agreements, then in such case the provisions of this title shall control.

Where the exact boundaries of a zoning district cannot be readily or exactly ascertained by reference to the zoning map of the City of El Paso de Robles, the boundaries shall be deemed to be along the nearest street or lot line, as the case may be. If a district boundary line divides or splits a lot, the lot may be deemed to be included within the district which is the more restrictive unless the major portion of the lot is in the less restrictive district, then the latter may be deemed to be the zoning at the discretion of the Planning Commission. The provisions of this section shall not apply to acreage.

to their privately owned boats, trailers and other recreation vehicles. However, no rental spaces shall be used for any retail or service commercial uses including business or professional offices, retail sales, services provided for a fee or fabrication of any products intended for sale.

21.21.090 Combining Uses

1. General: Any use permitted in a zone may be combined on a single site with any other use permitted in the same zone under the provision of Section 21.24.020 of this article and subject to the provisions of this section.
2. Application: An applicant for a combining use under the provisions of this section shall submit an application for a use permit under the provisions of Section 21.24.020. Such application shall include a detailed site plan showing the following:
 - a. The uses proposed.
 - b. The height, bulk and area of buildings.
 - c. Building lines and distance between buildings.
 - d. Architectural features, landscaping, lighting and other amenities.
 - e. Location, lighting, size, and style of all signs.
 - f. Vehicle driveway, loading and parking spaces.
3. Standards: The minimum standards for development shall be the sum of the standards for all combined uses with the following exceptions:
 - a. The Planning Commission may waive a portion of the off-street parking and loading requirements when in its opinion, the combination of such parking and loading requirements would be clearly in excess of the actual needs.
 - b. The Planning Commission may impose on all combined uses the standards of the most restrictive use including, setback, height, lot coverage, yard requirements, screening, access, or any other standards regulating any of the other combined uses.
 - c. The Planning Commission may restrict the number and size of signs to the number and size permitted for the principal use.

4. Waiver Limitations: Set-back, yard, height and bulk restrictions on any use may not be waived under the provisions of this section. Requests for such waivers or variances must be processed under Section 21.24.130 (Variance-application) or Section 21.16.140 (PD District-Regulations established, listed.)

Chapter 21.24

PERMITS, VARIANCES AND AMENDMENTS

Sections:

- 21.24.010 Zoning permits-When required.
- 21.24.020 Use permits-Reason for issuance.
- 21.24.030 Use permit-Application-Fee.
- 21.24.040 Hearing-When required.
- 21.24.050 Hearing-Notice.
- 21.24.060 Use permit-Conditions for granting.
- 21.24.070 Use permit-Imposition of conditions.
- 21.24.080 Appeal to city council.
- 21.24.090 Appeal-Hearing.
- 21.24.100 Appeal-Time limit.
- 21.24.110 Use permit required prior to building,
zoning permits.
- 21.24.120 Variance-When granted.
- 21.24.122 Variance-Required Findings
- 21.24.130 Variance-Application
- 21.24.140 Land difference unique.
- 21.24.150 Required for enjoyment of rights.
- 21.24.160 Health and safety protected.
- 21.24.170 Variance-Hearing-Notice.
- 21.24.180 Variance-Issuance.
- 21.24.190 Variance-Appeal to city council-Procedure.
- 21.24.200 Variance-Effect on building, zoning
permit.
- 21.24.210 Appeals-Planning commission's authority.
- 21.24.220 Appeal-City council's action.
- 21.24.230 Appeal-Notice to planning commission-Report.
- 21.24.240 Appeal-Council.
- 21.24.250 Permits-Variance-Revocation for non-use.
- 21.24.260 Permits-Variance-Revocation for violation.
- 21.24.270 Permits-Variance-Revocation hearing.
- 21.24.280 Permits issued-When effective.
- 21.24.290 Amending title-Authority.

- 21.24.300 Amending title-Initiation.
- 21.24.310 Amending title-Hearing-Notice.
- 21.24.320 Amending title-Change in district boundary.
- 21.24.330 Amending title-Failure to post notice.
- 21.24.340 Amending title-Planning commission action.
- 21.24.350 Amending title-Council action, hearing.
- 21.24.351 Amending title-Planning Commission Report.
- 21.24.352 Amending title-Appeal.
- 21.24.360 Amending title-Council decision-Time limit.
- 21.24.370 Non-complying permits-Void.
- 21.24.380 Fees.
- 21.24.010 Zoning permits-When required. Zoning permits shall be required for all buildings and structures hereinafter erected, constructed, altered, repaired or moved within or into any district established by this title and for the use of vacant land or for a change in the character of the use of land within any district established by this title, except as provided in Section 21.20.080.
- 21.24.020 Use permits-Reason for issuance. Use permits, revocable, conditional or valid for a term period may be issued for any of the uses or purposes for which such permits are required or permitted by the terms of this title.
- 21.24.030 Use permit-Application fee. Application for a use permit shall be made to the Planning Commission in writing on the form prescribed by the Commission and shall be accompanied by plans and elevations necessary to show the detail of the proposed use of the building. Such application shall be accompanied by a fee set by the City Council.
- 21.24.040 Hearing-When required. Unless required by state law, no public hearing need be held thereon; provide that the planning commission may hold any hearing it deems necessary.
- 21.24.050 Hearing-Notice. In case a public hearing is required by state law, or is deemed necessary by the Planning Commission, a notice of such hearing shall be given according

to state law and further notice of such hearing shall be given as follows: Not less than ten days prior to such hearing there shall be mailed, postage prepaid, a notice of the time and place of such hearing to all persons whose names and addresses appear on the latest adopted tax roll of the county or is known to the City Clerk, as owning property within a distance of not less than 300 feet from the exterior boundaries of the area actually occupied, or to be occupied, by the requested use.

21.24.060 Use permit Conditions for granting. In order to grant any use permit the findings of the planning commission shall be that the establishment, maintenance or operation of the use of building applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the city.

21.24.070 Use permit-Imposition of conditions. The planning commission may impose such conditions, in connection with the use permit, as it deems necessary to secure the purposes of this title, and may require guarantees and evidence that such conditions are being, or will be complied with.

21.24.080 Appeal to city council. In case the applicant or any interested party is not satisfied with the action of the planning commission, he may within five days appeal in writing to the city council.

21.24.090 Appeal-Hearing. The city council shall set date for public hearing and shall post notices as set forth in Section 21.24.050. Notice shall also be given to the planning commission of such appeal and the planning commission may submit a report to the city council, setting forth the reasons for action taken by the commission, and may be represented

at the hearing.

21.24.100 Appeal-Time limit. The city council shall render its decision within ninety days after the filing of such appeal.

21.24.110 Use permit required prior to building, zoning permits. No building or zoning permit shall be issued in any case where a use permit is required by the terms of this title until five days after the granting of such use permit by the planning commission, or after granting of such use permit by the city council in the event of appeal and then only in accordance with the terms and conditions of the use permit granted.

21.24.120 Variance-When granted. The Planning Commission may grant a variance from the terms of this ordinance when because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification. Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located.

21.24.122 Variance-Required Findings. In granting a variance from the terms of this ordinance the Commission shall make such findings as are necessary to justify the variance and shall indicate in its findings the evidence upon which such findings are based.

21.24.130 Variance-Application. Application for variance shall be made in writing on a form prescribed by the planning commission and shall be accompanied by a fee of twenty-five dollars and statement, plans and evidence showing all of

the conditions listed in Sections 21.24.140 through 21.24.160.

21.24.140 Land difference unique. Any applicant for a variance shall submit such maps (including topography), surveys or other documents as necessary to demonstrate that the subject property because of special circumstances such as size, shape, topography, location or surroundings is deprived of privileges enjoyed by other property in the vicinity and under identical zoning classification.

21.24.150 Required for enjoyment of rights. The applicant shall show that the granting of the application is necessary for the preservation and enjoyment of substantial property rights of the petitioner.

21.24.160 Health and safety protected. The applicant shall show that the granting of such application will not, under the circumstances of the particular case, materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not, under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvement in said neighborhood.

21.24.170 Variance-Hearing-Notice. A public hearing shall be held within forty-five days after filing of the application. Notice of said hearing shall be given as provided in Section 21.24.050.

21.24.180 Variance-issuance. After the conclusion of the public hearing the Planning Commission may grant a variance from the strict application of the terms of this ordinance where unnecessary hardships or practical difficulties and results inconsistent with the purposes of this title will result; provided, however, no variance permit shall be granted to allow any land use which is not in conformity with the use regulations specified for the district in which the land is located.

21.24.190 Variance-Appeal to city council-Procedure. Within five days after the final action of the Planning Commission upon such application, the applicant, or other affected persons, may file with the clerk of the Council of the city an appeal from such action. The appeal shall be in writing and shall state the reasons for which the appeal is taken. The City Council shall cause a public hearing to be held thereon and shall give notice thereof as provided in Section 21.24.170. Notice of such hearing shall also be given to the Planning Commission. Upon receipt of such notice and five days prior to the time set for the hearing, the Planning Commission shall furnish the City Council written record of the application, including all written evidence received by the Planning Commission, and a report of its action thereon. The City Council may affirm, modify or reverse the action of the Planning Commission, or may refer the matter back with or without instructions to the Planning Commission for further proceedings. The decision of the City Council upon the appeal shall be final and conclusive as to all things involved in the matter.

21.24.200 Variance-Effect on building, zoning permit. No building or zoning permit shall be issued upon a variance permit until five days after the granting of such variance by the planning commission, or in the event of an appeal within said five day period, until said appeal is finally concluded. No building or zoning permit shall be issued except in accordance with and subject to the terms and conditions of the variance granted.

21.24.210 Appeals-Planning commission's authority. The planning commission shall have the power to hear and decide appeals based on the enforcement or interpretation of the provisions of this title.

21.24.220 Appeal-City council's action. In case an applicant is not satisfied with the action of the planning commission

on his appeal, he may within fifteen days appeal in writing to the city council.

21.24.230 Appeal-Notice to planning commission-Report. Notice shall be given to the planning commission of such appeal and a report shall be submitted by the planning commission to the city council setting forth the reasons for action taken by the commission, or shall be represented at the council meeting.

21.24.240 Appeal-Council decision. The city council shall render its decision within thirty days after the filing of such appeal.

21.24.250 Permits-Variances-Revocation for non-use. Any zoning permit, use permit, or variance granted in accordance with the terms of this title shall be revoked if not used within one year from date of approval.

21.24.260 Permits-Variances-Revocation for violation. Any zoning permit, use permit, or variance granted in accordance with the terms of this title may be revoked if any of the conditions or terms of such permit or variance are violated, or if any law or ordinance is violated in connection therewith.

21.24.270 Permits-Variances-Revocation hearing. The planning commission shall hold a hearing on any proposed revocation after giving notice thereof as provided in Section 21.24.050 and by giving written notice to the permittee at least ten days prior to the hearing, and shall submit its recommendation to the city council. The city council shall act thereon within thirty days after receipt of the recommendations of the planning commission.

21.24.280 Permits issued-When effective. No permit issued under the provisions of Sections 21.24.010 through 21.24.340 of this chapter shall be final until the issuance of same

21.04.060 Permits not Conforming-Void. All departments, official and public employees of the city, vested with the duty or authority to issue permits or licenses shall conform to the provisions of this title, and shall issue no permit or license for uses, building, or purposes in conflict with the provisions of this title; and any such permit or license issued in conflict with the provisions of this title shall be null and void. It shall be the duty of the city building inspector to enforce the provisions of this title pertaining to the erection, construction, reconstruction, moving, conversion, alteration or addition to any building or structure.

21.04.070 Penalties for Violations. Any person, firm, or corporation, whether as principal, agent, employee or otherwise, violating or causing the violation of any of the provisions of this title, shall be guilty of a misdemeanor and upon conviction thereof, shall be punishable by a fine of not more than five hundred dollars or by imprisonment in the city jail or county jail of the County of San Luis Obispo for a term of not exceeding one hundred and eighty days, or by both such fine and imprisonment. Such person, firm or corporation shall be deemed to be guilty of a separate offense for each and every day during any portion of which any violation of this title is committed or continued by such person, firm or corporation, and shall be punishable as herein provided.

21.04.080 Structures and Land Use Contrary to Provisions. Any building or structure set up, erected, constructed, altered, enlarged, converted, or moved contrary to the provisions of this title and any use of any land, building or premises established, conducted, operated contrary to the provisions of this title shall be, and the same is hereby declared to be, unlawful and a public nuisance; and the city attorney shall, upon order of the city council, immediately commence action or proceedings for the abatement and removal and enjoinder thereof in the manner prescribed by law, and shall

shall have been reported to the city council in time for consideration at its next regular meeting. At such meeting of the city council, said council may modify, over-rule or order a rehearing of the permit and of the subject matter involved therein, but if no action thereon is taken at such meeting of the city council, said permit shall be deemed final.

21.24.290 Amending title-Authority. This title may be amended by changing the boundaries of districts, or by changing any other provision thereof whenever the public necessity and convenience and the general welfare require such amendment by following the procedure of Sections 21.24.300-21.24.360.

21.24.300 Amending title-Initiation. An amendment may be initiated by:

- (a) The verified petition of one or more property owners of property affected by the proposed amendment, which petition shall be filed with the Planning Commission and shall be accompanied by a fee, set by the City Council; or
- (b) Resolution of Intention of the City Council; or by
- (c) Resolution of Intention of the Planning Commission.

21.24.310 Amending title-Hearing-Notice. The planning commission shall hold one public hearing on any proposed amendment and shall give notice thereof by at least one publication in a newspaper of general circulation within the city at least ten days prior to such hearing.

21.24.320 Amending title-Change in district boundary. In case the proposed amendment consists of a change of the boundaries of any district so as to reclassify property from any district to any other district, the planning commission shall give additional notice of the time and place of such hearing and of the purpose thereof by mailing a postal card

notice not less than five days prior to the date of the first of such hearings to the owners of property within a radius of three hundred feet of the exterior boundaries of the property to be changed, using for this purpose the last known name and address of such owners as shown upon the assessment roll of this county.

Such notice shall contain a statement setting forth a general description of the property involved in the proposed change of district, the time and place at which the public hearing on the proposed change will be held, and any other information which the planning commission may deem to be necessary.

21.24.330 Amending title-Failure to post notice. Any failure to post public notices as aforesaid shall not invalidate any proceedings for amendment of this zoning ordinance.

21.24.340 Amending title-Planning commission action. Following the aforesaid hearings the planning commission shall make a report of its findings and recommendations with respect to the proposed amendment, and shall file with the city council an attested copy of such report within ninety days after the notice of the first of said hearings; provided that such time limit may be extended upon the mutual agreement of the parties having an interest in the proceedings.

21.24.350 Amending title-Council action, hearing. Upon receipt of such report from the planning commission, the city council shall set the matter for public hearing after notice thereof and of the proposed amendment given as provided by law. After the conclusion of such hearing the city council may adopt the amendment or any part thereof set forth in the petition in such form as said council may deem to be advisable.

21.24.351 Amending Title-Planning Commission Report.
Any modification of the proposed amendment as recommended by the Planning Commission, shall first be

referred to the Planning Commission for report and recommendation. The Planning Commission need not hold a public hearing thereon. Failure of the Planning Commission to report to the City Council, within forty (40) days of the date of reference, shall be deemed to be approval of the proposed modification.

21.24.352 Amending Title-Appeal.

If the Planning Commission has recommended against an amendment which would change property from one zoning district to another, the City Council need not take further action thereon, unless an interested party shall request a public hearing. Such request shall be filed with the City Clerk not more than five (5) days after the Planning Commission has filed its recommendations with the City Council. The City Council shall then proceed after setting the matter for hearing as provided by law. After the conclusion of such hearing the Council may adopt the amendment or any part thereof in such form as said Council may deem to be appropriate.

21.24.360 Amending title-Council decision-Time limit. The decision of the city council shall be rendered within sixty days after the receipt of a report and recommendations from the planning commission.

21.24.370 Non-Complying permits-Void. The building official shall not issue any building permit for the construction of any building, structure, facility or alteration, the construction of which, or the proposed use of which, would constitute a violation of this title.


21.24.380 Fees. The City Council of the City of El Paso de Robles may from time to time establish and set by resolution the amount of the required fees and charges for all zoning applications and statements within the City of El Paso de Robles. (Ordinance No. 397 N.S. § 4, 1976).

PASSED AND ADOPTED this 30th day of June, 1977, by the following roll call vote:

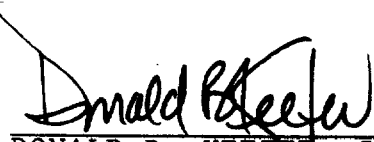
AYES: Councilmen Hanson, Hurst, Minshull, Stemper & Schwartz

NOES: None

ABSENT: None


BARNEY SCHWARTZ, MAYOR

ATTEST:


DONALD B. KEEFER, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF SAN LUIS OBISPO) SS.
CITY OF EL PASO DE ROBLES)

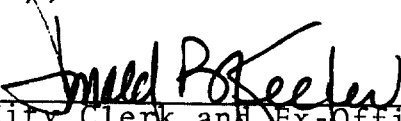
I, Donald B. Keefer, City Clerk of the City of El Paso de Robles, California, do hereby certify that the foregoing Ordinance No. 405 N.S. was duly and regularly adopted, passed, and approved by the City Council of the City of El Paso de Robles, California, at an adjourned meeting of said City Council held at the regular meeting place thereof, on the 30th day of June, 1977, by the following roll call vote:

AYES: Councilmen Hanson, Hurst, Minshull, Stemper & Schwartz

NOES: None

ABSENT: None

Dated this 1st day of July, 1977.


City Clerk and Ex-Officio Clerk of
the City Council, City of El Paso
de Robles, State of California.